

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>CASSIUS CLAY, SR.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 05-125E</b>
<b>v.</b>	)	<b>Judge Sean J. McLaughlin</b>
	)	<b>Mag. Judge Susan Paradise Baxter</b>
<b>TRACEY REEVES, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MOTION TO DISMISS**

AND NOW, come the defendants, Tracey Reeves, Angie Marhefka, Jack Loughry, Burks, Candis Brimmer, Dr. Jeffrey A. Beard, D.J. Wakefield, by their attorneys, Thomas W. Corbett Jr., Attorney General, Craig E. Maravich, Deputy Attorney General, and Susan J. Forney, Chief Deputy Attorney General, Chief, Litigation Section, and respectfully submit the following:

1. Please incorporate recently served defendants Candis Brimmer and Dr. Jeffrey A. Beard into the previously filed Motion to Dismiss and Brief in Support (Docs. & 26 & 27).

**CONCLUSION**

For the foregoing reasons, it is respectfully requested this motion be granted.

Respectfully submitted,

**THOMAS W. CORBETT JR.,  
Attorney General**

By: /s/ Craig E. Maravich  
CRAIG E. MARAVICH  
Deputy Attorney General  
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Susan J. Forney  
Chief Deputy Attorney General  
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564 Forbes Avenue  
Pittsburgh, PA 15219

Date: February 16, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on February 16, 2006, I electronically filed the foregoing ***Motion to Dismiss*** with the Clerk of Court using the CM/ECF system. And I hereby certify that I have mailed the foregoing document by United States Postal Service to the following non CM/ECF participants:

Cassis M. Clay, Sr., DQ-5954  
SCI-Forest  
P.O. Box 945  
Marienville, PA 16239-0945

By: /s/ Craig E. Maravich  
CRAIG E. MARAVICH  
Deputy Attorney General

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Date: February 16, 2006